

**FILE NO.:** SCT-7001-18  
**DATE:** 20200731

**SPECIFIC CLAIMS TRIBUNAL  
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

<b>BETWEEN:</b>	)	
	)	
KANAKA BAR INDIAN BAND	)	
	)	Kirk Gehl and Caroline Roberts, for the
	)	Claimant
Claimant	)	
	)	
<b>– and –</b>	)	
	)	
HER MAJESTY THE QUEEN IN RIGHT	)	
OF CANADA	)	
As represented by the Minister of Crown-	)	James M. Mackenzie, James Rendell and
Indigenous Relations	)	Paige Wilson, for the Respondent
	)	
	)	
Respondent	)	
	)	
	)	
	)	
	)	<b>HEARD:</b> July 28, 2020

**ENDORSEMENT**

**Honourable Victoria Chiappetta**

A Case Management Conference (CMC) was held by teleconference on July 28, 2020, at 12:00 P.M., Eastern Time (Ottawa).

[1] The Tribunal acknowledged the significant progress made by the Parties in all four Claims (files SCT-7001-18, SCT-7002-18, SCT-7001-19 and SCT-7002-19) and encouraged the Parties to continue mutually sustained efforts.

[2] The Parties reported that they:

- (a) have come to an agreement on validity in file SCT-7002-18 (Lot 4) and filed with the Tribunal a draft consent order on July 27, 2020;
- (b) advised that they are actively discussing Claims for files SCT-7001-19 (IR 2) and SCT-7002-19 (IR 1A) with an eye towards reaching a negotiated resolution on validity in the upcoming weeks;
- (c) anticipate requesting a stay of proceedings of the compensation phase for files SCT-7001-19 and SCT-7002-19; and,
- (d) have already filed with the Tribunal a draft stay of proceedings order for file SCT-7002-18 (Lot 4) on July 27, 2020.

[3] The Parties explained that the forth Kanaka Bar Indian Band Claim, file SCT-7001-18 (IR 4), is in the compensation phase and an expert evidence and oral submissions hearing was anticipated for the fall of 2020; however, this Claim is now part of global settlement negotiations.

[4] Given this, the Parties request to stay the proceedings in file SCT-7001-18 (IR 4).

[5] The Parties intent to apply for a stay of proceedings in files SCT-7001-19 (IR 2) and SCT-7002-19 (IR 1A) at the next CMC.

[6] The Tribunal reviewed materials in file SCT-7002-18 (Lot 4) and is content with issuing a formal order on validity as consented to by the Parties and one to stay the proceedings. Once the orders are formally issued, the September 8-11, 2020 and November 30-December 11, 2020 hearing dates will be vacated and the hearings in file SCT-7002-18 will be adjourned *sine die*.

[7] The Tribunal requested that the Parties file a draft stay of proceedings order for file SCT-7001-18 (IR 4), and—to allow sufficient time to pursue global settlement discussions—not include a finality date.

[8] At the next CMC, the Parties shall be prepared to discuss their progress on validity negotiations in files SCT-7001-19 (IR 2) and SCT-7002-19 (IR 1A), and to discuss their plan going forward in terms of completion of a global settlement, including a proposed timeline to achieve this.

[9] The next CMC will be held by teleconference on **August 26**, 2020, at 1:00 PM., Eastern Time (Ottawa).

VICTORIA CHIAPPETTA

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Honourable Victoria Chiappetta